

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

JOHNNY LEE FRENCH,

Petitioner,

v.

RANDY TILLMAN, Warden, *et al.*,

Respondent.

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CASE NO: 1:08-cv-30 (WLS)

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge Thomas Q. Langstaff, filed January 31, 2011. (Doc. 12). It is recommended that Petitioner's Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2254 (Doc. 2), as well as any certificate of appealability that Petitioner may file, be denied. (Doc. 12 at 8-9).

The Report and Recommendation provided the Parties with fourteen (14) days¹ from the date of its service to file written objections to the recommendations therein. (*Id.*). The period for filing objections expired on Thursday, February 17, 2011; no objections have been filed to date. (*See* Docket).

In view of the absence of any such objection from the record of this case and the Court's consideration of the record as a whole, United States Magistrate Judge Langstaff's January 31, 2011 Report and Recommendation (Doc. 12) is **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly,

¹ The Parties were given an additional three days because service was made by mail. *See* Fed. R. Civ. P. 6(d) (adding three days to specified period within which a party may act if service is made under Rule 5(b)(2)(C) by mailing process to a party's last known address).

Petitioner's Petition for Writ of Habeas Corpus (Doc. 2) is **DENIED**, and should Petitioner later file a certificate of appealability in this case, the same is also **DENIED**.

SO ORDERED, this 1st day of March 2011.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT**